

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**RUFUS DARWIN MCFADDEN**

**PLAINTIFF**

**V.**

**CIVIL ACTION NO. 1:15-cv-125-JCG**

**HUBERT DAVIS, *Warden***

**DEFENDANT**

**FINAL JUDGMENT**

In accordance with the Court's Memorandum Opinion and Order Granting Defendant Hubert Davis' Motion for Summary Judgment based on Plaintiff's failure to exhaust available administrative remedies, final judgment is hereby entered pursuant to Rule 58 of the Federal Rules of Civil Procedure in favor of Defendant Hubert Davis. All of Plaintiff's claims are dismissed without prejudice.

**IT IS, THEREFORE, ORDERED AND ADJUDGED** that the above captioned civil action is dismissed without prejudice.

**SO ORDERED** this the 10th day of August, 2016.

*s/ John C. Gargiulo*

JOHN C. GARGIULO  
UNITED STATES MAGISTRATE JUDGE